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Security Council

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Security Council Committee established pursuant to resolution 1718 (2006)

Letter dated 14 July 2009 from the Permanent Representative of Switzerland to the United Nations addressed to the Acting Chairman of the Committee

Further to your correspondence of 29 June 2009, I have the honour to transmit herewith the report of my Government concerning the concrete measures taken in order to implement effectively the relevant provisions of Security Council resolutions 1718 (2006) and 1874 (2009) (see annex).

(*Signed*) Peter **Maurer**
Ambassador
Permanent Representative

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Annex to the letter dated 14 July 2009 from the Permanent Representative of Switzerland to the United Nations addressed to the Acting Chairman of the Committee

Report submitted by Switzerland pursuant to Security Council resolution 1874 (2009)

In paragraph 22 of its resolution 1874 (2009), the Security Council calls upon all Member States to report to the Security Council on concrete measures they have taken to implement the provisions of paragraph 8 of Security Council resolution 1718 (2006) and paragraphs 9, 10, 18, 19 and 20 of Security Council resolution 1874 (2009).

Switzerland has the honour to transmit to the Security Council and to the Committee established pursuant to resolution 1718 (2006) the following information regarding the enforcement of United Nations sanctions against the Democratic People's Republic of Korea:

Paragraph 8 of resolution 1718 (2006)

Switzerland is enforcing the sanctions provided for in paragraph 8 of resolution 1718 (2006) by means of the Ordinance of 25 October 2006 (see appendix), which establishes measures against the Democratic People's Republic of Korea (hereinafter referred to as "the Ordinance"). Information regarding Switzerland's implementation of paragraph 8 is contained in its report of 30 November 2006 (S/AC.49/2006/34) submitted in accordance with paragraph 11 of resolution 1718 (2006).

On 24 April 2009, the Committee applied the measures provided for in paragraph 8 (a) to (c) of resolution 1718 (2006) to the items listed in document S/2009/205. The same day, the Committee applied the financial sanctions provided for in paragraph 8 (d) of the same resolution to three North Korean entities.

Document S/2009/205 contains the updated list of equipment, technology and software established by the Missile Technology Control Regime. As a partner in the Regime, Switzerland regularly updates its national list of articles covered by the Regime. The Ordinance prohibits the supply, sale and transfer to the Democratic People's Republic of Korea of the goods, technology and software listed in document S/2009/205.

The Ordinance provides for the freezing of assets and economic resources belonging to or under the control of the persons, enterprises and entities listed in its annex 3. Moreover, it is prohibited to supply or make available assets or economic resources to the persons, enterprises and entities subject to the freeze, whether directly or indirectly. On 12 May 2009, Switzerland applied these restrictions to the three North Korean entities designated by the Committee on 24 April 2009, by adding their names to annex 3 to the Ordinance.

Paragraphs 9 and 10 of resolution 1874 (2009)

Pursuant to paragraphs 8 (a) (i) and 8 (b) of resolution 1718 (2006), article 1, paragraphs 1 and 3 of the Ordinance prohibits the supply, sale and transfer to the Democratic People's Republic of Korea of heavy weapons (battle tanks, armoured

combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles and missile systems) and of related materiel, as well as the acquisition, purchase or transfer from the Democratic People's Republic of Korea of heavy weapons and related materiel.

Pursuant to paragraphs 9 and 10 of resolution 1874 (2009), on 1 July 2009, the Swiss Federal Council (the Government) amended article 1 of the Ordinance to expand the scope of application of the embargo on heavy weapons to include military equipment goods of all kinds. The provision and procurement of services of any kind and the provision and receipt of financial resources linked to military equipment goods is also prohibited. The competent authorities may, after having notified the Committee, authorize exceptions for the supply, sale and transfer to the Democratic People's Republic of Korea of small arms and light weapons and related services.

Paragraph 18 of resolution 1874 (2009)

The Ordinance prohibits the provision and procurement of financial services and the provision and receipt of financial resources linked to the delivery, sale, transfer, acquisition, manufacture, maintenance and use of the goods, technology and software specified by the Missile Technology Control Regime, the Nuclear Suppliers Group and the Australia Group. In addition, the Federal Act on War Materiel of 13 December 1996 prohibits the provision of any kind of support to activities linked to weapons of mass destruction programmes.

Paragraph 19 of resolution 1874 (2009)

With the exception of humanitarian aid and development cooperation, Switzerland does not provide public financial support to the Democratic People's Republic of Korea.

Paragraph 20 of resolution 1874 (2009)

Switzerland does not provide public financial support for trade with the Democratic People's Republic of Korea. Swiss Export Risk Insurance (RISK) is not currently available for trade with the Democratic People's Republic of Korea.

The Ordinance, updated as at 1 July 2009, is attached hereto.